

Message Text

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O R 022120Z DEC 76
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 3802
INFO USMISSION USBERLIN
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 03 BONN 20371

FOR EUR/CE

E.O. 11652: GDS
TAGS: PFOR PGOV WB GW US UK FR
SUBJECT: DECEMBER 1976 QUADRIpartite MEETING: STATUS
REPORT

REF: BONN 20196

BEGIN SUMMARY. BONN GROUP DISCUSSIONS ON SUBSTANTIVE
AND ADMINISTRATIVE PREPARATIONS FOR THE DECEMBER 8
QUADRIpartite MEETING ARE SUMMARIZED BELOW. END
SUMMARY.

REPRESENTATION STUDY

1. SUBTITLES TO BE INSERTED IN THE REPRESENTATION
STUDY (BONN 20112 AND BONN 19643) BEFORE IT IS TYPED
IN FINAL FORM WERE REPORTED IN BONN 20196 (PARA 4.D).
IN ADDITION, THE FOLLOWING TEXTUAL CHANGES, RESULTING
FROM A FINAL COMPARISON OF TEXTS, SHOULD BE MADE:

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-- PARA 14, 9TH LINE: CHANGE "PRIVATE" TO

"CONFIDENTIAL."

-- PARA 15, 6TH TICK: ADD AT THE END OF THE LAST SENTENCE "IN THE WEST" (THE SENTENCE WOULD THUS END "... WOULD ENDANGER THE CREDIBILITY OF DETENTE IN THE WEST.").

-- PARA 24.C. SHOULD BE CHANGED TO READ:

"C. THE GERMAN, BRITISH AND FRENCH GOVERNMENTS, IN CONSULTATION WITH THAT OF THE US, SHOULD IDENTIFY WELL IN ADVANCE THE BERLIN ASPECTS OF EVERY POLITICALLY IMPORTANT NEW COMMUNITY DEVELOPMENT AND INFORM THE COMPETENT AUTHORITIES ABOUT THESE BERLIN ASPECTS IN GOOD TIME."

2. REACTIONS FROM CAPITALS. OTHER MEMBERS OF THE BONN GROUP VERY MUCH APPRECIATED US INSTRUCTIONS (STATE 293198). FRG REP (HENZE) SAID VAN WELL HAD NOT YET READ THE PAPER, BUT HE DID NOT EXPECT THAT THE FRG WOULD REQUEST ANY REVISIONS IN THE PAPER BEFORE THE BRUSSELS MEETING.

3. HITCH REPORTED THAT HE HAD BEEN FOREWARNED TO EXPECT A LARGE NUMBER OF DETAILED COMMENTS FROM LONDON TONIGHT OR TOMORROW. HE WAS HOPING TO GET THE AGREEMENT OF HIS AMBASSADOR TO TAKE THE POSITION THAT THE BRIEFING BOOKS WERE CLOSED AND THAT THESE CHANGES SHOULD NOT BE LAUNCHED AT THIS STAGE IN THE BONN GROUP. HITCH READ FROM A TELEGRAM STATING THAT THE FORTHCOMING AMENDMENTS "WILL REFLECT THE SERIOUS RESERVATIONS WE HAVE ABOUT THE TONE, PRECISION AND DIRECTION OF THE PAPER. PAPER PRESENTS CURRENT SOVIET POLICY ON BERLIN IN AN OVER-SIMPLIFIED AND EXCESSIVELY CONFRONTATIONAL MANNER, AND IT TENDS TO UNJUSTIFIABLY ALARMIST CONCLUSIONS."

4. FRENCH REP (BOISSIEU) THEN REPORTED THAT HE HAD ALREADY RECEIVED A REQUEST TO INTRODUCE SOME 20-25

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AMENDMENTS TO THE PAPER. WHILE HE PREFERRED THE US APPROACH, TO TREAT THE STUDY SIMPLY AS A BONN GROUP WORKING PAPER, HE WAS COMPELLED TO INTRODUCE AT LEAST A FEW OF THE CHANGES:

-- PARA 15, FIRST TICK: PARIS COULD NOT AGREE THAT CONSTITUTIONAL RESTRAINTS ON THE FRG SHOULD BE SHOWN AS THE LEADING CONSTRAINT AND WOULD LIKE TO AMEND

THE SENTENCE TO READ: "THE THREE POWERS MUST ENSURE THAT THEIR RIGHTS AND RESPONSIBILITIES IN BERLIN ARE RESPECTED; THE FRG IS CONSTRAINED BY ITS CONSTITUTIONAL ORDER." HENZE STATED THAT IF THE DRAFTING WERE BEING

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REOPENED HE WOULD WANT TO CHANGE "CONSTRAINED" TO "BOUND."

-- PARA 15, THIRD TICK: INSERT THE WORDS "AND THE FRG," SO THAT THE SENTENCE WOULD BEGIN: "THE THREE POWERS AND THE FRG MUST AVOID...."

-- PARA 22.C: DELETE THE WORDS IN BRACKETS. CONSULTATIONS ON CSCE MATTERS WOULD HAVE TO BE NOT ONLY AMONG THE 15 BUT AMONG THE NINE, AND IT WOULD BE PREFERABLE TO DELETE THE EXPLANATION THAN TO SPELL IT OUT MORE FULLY.

-- PARA 26: DELETE THE WORDS "PLACING IT

IN THE CONTEXT OF EAST-WEST RELATIONS AND."

5. OTHER CHANGES ON THE FRENCH LIST, AS GIVEN TO US
REP BY BOISSIEU PRIVATELY, INCLUDE AMENDMENT TO PARA
22.A TO INDICATE THAT IT DOES NOT APPLY TO TREATIES
SUCH AS THOSE CONCERNING MILITARY MATTERS AND A CHANGE
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TO PARAGRAPH 25.A(1) TO INDICATE THAT FUTURE FRG
ATTEMPTS TO CONCLUDE BILATERAL TREATIES SHOULD BE
MADE IN CONSULTATION WITH THE THREE ALLIES.

6. BONN GROUP REPS FELT IT WOULD BE IMPOSSIBLE TO
REACH AGREEMENT ON THE CHANGES REQUESTED BY THE FRENCH
AND THOSE ENROUTE FROM LONDON IN TIME TO GET REVISED
STUDIES IN BRIEFING BOOKS. BOTH BOISSIEU AND HITCH
ARE THEREFORE SEEKING AUTHORITY FROM CAPITALS MERELY
TO ASK THE OTHER REPS TO TAKE NOTE OF THE REQUESTED
CHANGES AND ALERT SENIOR OFFICIALS TO THE FACT THAT
THE ISSUES INDICATED IN THE REQUESTED CHANGES MAY BE
DISCUSSED IN BRUSSELS. BOISSIEU DID OBTAIN THE
ACQUIESCENCE IN PRINCIPLE OF OTHER THREE
REPS IN THE FIRST THREE CHANGES LISTED IN PARA 4. US,
UK AND FRG REPS WERE UNWILLING TO ACCEPT THE PROPOSED
AMENDMENT TO PARA 26, AND BOISSIEU ASKED THAT IT BE
NOTED THAT THE QUOTED WORDS WERE SUBJECT TO FRENCH
RESERVATION. THE FRENCH VIEW, HE SAID, WAS THAT IF
DETENTE FAILED, WE WOULD WANT TO INSIST THAT THE
BERLIN AGREEMENTS BE OBSERVED. IT WOULD THEREFORE BE
ERRONEOUS TO MAKE TOO CLOSE A LINKAGE BETWEEN
BERLIN AND EAST-WEST RELATIONS IN GENERAL.

AGENDA FOR SENIOR LEVEL MEETING

7. ALTHOUGH IT DOES NOT PRECISELY FIT UNDER THE LAST
AGENDA ITEM (BONN 19906), BOISSIEU SAID THE FRENCH
WOULD LIKE TO HAVE A BRIEF DISCUSSION
ON THE DOMESTIC SITUATION IN THE GDR.

COMMUNIQUE

8. AS REPORTED SEPTTEL, THE BRITISH DO NOT YET HAVE
FINAL INSTRUCTIONS.

BRIEFING PROJECT

9. THE US, FRENCH AND FRG REPS HAVE ALL RECEIVED
CLEARANCE FOR THE AMENDED TEXT. HITCH
REPORTED ON DECEMBER 2 THAT, ALTHOUGH LONDON HAD
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PREVIOUSLY APPROVED THE TEXT (BONN 19515 AS AMENDED IN BONN 20032), THE EMBASSY HAD JUST RECEIVED WORD THAT HIBBERT WILL WISH TO GET AGREEMENT TO THREE CHANGES AT THE SENIOR LEVEL MEETING:

-- SECTION I. CHANGE THE BEGINNING OF THE OPENING SENTENCE TO READ: "THE PRESENT-DAY STATUS OF THE CITY OF BERLIN IS ROOTED IN THE POLITICAL AND LEGAL SITUATION...." BOISSIEU OBJECTED TO "PRESENT-DAY" BECAUSE IT IMPLIED THE STATUS WAS CHANGING, AND THE US AND FRG REPS THOUGHT IT WAS ALSO SUPERFLUOUS. NO ONE HAD ANY OBJECTIONS IN PRINCIPLE TO "ROOTED IN."

-- SECTION III DELETE THE PENULTIMATE SENTENCE (BEGINNING "THIS MADE POSSIBLE....") AND SUBSTITUTE THE FOLLOWING:

"FROM THEN ONWARD, THE LEGISLATION OF THE FEDERAL REPUBLIC HAS BEEN ADOPTED AND APPLIED IN THE WESTERN SECTORS OF BERLIN AS BERLIN LAW, WITH THE AGREEMENT OF THE THREE ALLIED POWERS AND WITH DUE RESERVATION OF THEIR

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RIGHTS AND RESPONSIBILITIES."

HENZE, RECALLING THE DIFFICULTIES THAT HAD GONE INTO AGREEMENT ON THE EXISTING SENTENCE, OBJECTED TO REOPENING THE DRAFTING. THE US AND FRENCH REPS THOUGHT THE PROPOSED NEW SENTENCE WAS SATISFACTORY AS FAR AS IT WENT BUT NOTED THAT THE EXISTING FINAL SENTENCE OF THE PARAGRAPH WOULD NO LONGER TRACK. THEY ALSO THOUGHT THERE WOULD HAVE TO BE FURTHER REDRAFTING TO RETAIN THE TWO IDEAS DROPPED IN LONDON'S REWRITE -- EXTENSION OF TREATIES AND INCLUSION OF THE WSB IN THE ECONOMIC AND SOCIAL SYSTEMS OF THE FRG.

-- ANNEX, SECTION II, THIRD PARA: CHANGE THE PENULTIMATE SENTENCE TO READ:

"THE PRESENCE IN THE WSB OF SUCH AGENCIES AND INSTITUTIONS IS THEREFORE FULLY COMPATIBLE WITH THE LEGAL SITUATION WHICH DETERMINES BERLIN'S STATUS."

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US, FRENCH AND FRG REPS STATED THAT THEY DID NOT UNDERSTAND THE MEANING OF THE NEW FORMULATION. HITCH SAID HE WAS UNABLE TO ELUCIDATE. (COMMENT: THE BRITISH EMBASSY HERE IS EXPERIENCING CONSIDERABLE FRUSTRATION WITH HIBBERT'S METICULOUS INSTRUCTIONS BUT IS TRYING TO KEEP A STIFF UPPER LIP.)

SCHEDULE

10. THE BONN GROUP STILL DOES NOT HAVE FIRM INFORMATION ON TIMING OF THE MINISTERIAL MEETING ON THE EVENING OF DECEMBER 8. HITCH'S PRESENT UNDERSTANDING IS THAT PRE-DINNER COCKTAILS AND DISCUSSION OF BERLIN MATTERS WILL BEGIN AT 8:00 P.M., FOLLOWED BY DINNER AT

9:00 P.M. FOR MINISTERS PLUS ONE. HE HAS NOT YET BEEN
ABLE TO LEARN WHETHER DINNER (IN A SEPARATE ROOM)
CAN BE PROVIDED FOR THE OTHER GUESTS. HENZE ASKED THAT
WALTER LEWALTER FROM GENSCHER'S PERSONAL SECRETARIAT
BE ADDED TO THE LIST OF FRG PARTICIPANTS (BONN 20128).
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